

**SUMMARY OF FINAL DECISIONS ISSUED BY
TRIAL AND APPEAL BOARD
July 26-30, 1999**

THE TRADEMARK

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
7-27	EX	75/147,474	Alice and Law Co., Ltd.	Quinn Hohein* Hairston	2(d)	Refusal Affirmed		"CODE WASH" [laundry detergent, namely, laundry balls that release a cleaning composition in washing machines for clothes and fabrics]	"CODE" [general purpose and specific cleaners (liquid, dry, and aerosol); laundry detergents; etc.]	Carroll	No
7-27	EX	74/723,232	Infinity Insurance Co.	Quinn* Hohein Bottorff	2(d)	Refusal Affirmed		"R.S.V.P." [automobile insurance underwriting services sold through independent insurance agents]	"RSVP" [insurance underwriting services, namely, whole life policies and pre-paid funeral expense services]	W.K. Price	No
7-27	EX	75/116,174	Ipswitch, Inc.	Hanak Quinn* Bottorff	2(e)(1)	Refusal Affirmed		"IPSWITCH" [computer software for use in the access and the transfer of information across local, national, world-wide, and global computer networks]		Crawford	No
7-28	EX	75/049,284	Standard Motor Products, Inc.	Cissel Hanak* Chapman	2(d)	Refusal Affirmed		"EIS XTENDER" (and design) [repair parts for automobile and truck brakes, namely, semi-metallic brake pads]	"THE EXTENDER" (in stylized lettering) [oil filters for land vehicle engines]	J. McMorro	No
7-28	EX	75/137,368	Ride King Corp.	Quinn Wendel* Bottorff	2(d)	Refusal Affirmed		"RIDE KING" (and design) [bicycle shock absorbers]	"RIDE KING" (in stylized lettering) [shock absorbers]	J. McMorro	No
7-28	OPP	99,058	Arnita Y. Boswell and James W. Clement v. Mavety Media Group Ltd.	Cissel Seeherman* Hohein	2(a) [matter which may disparage; matter which may bring persons into contempt or disrepute]	Opposition Dismissed		"BLACK TAIL" [adult entertainment magazines]			Yes

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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7-28	EX	75/122,935	ATL Washington, Inc.	Simms Quinn* Hohein	2(e)(1)	Refusal Affirmed		"TISSUE SPECIFIC" [a feature of a medical diagnostic ultrasound apparatus consisting of computer hardware and software for enhancing the recording, storing, formatting and analyzing of ultrasound images]		Jenkins	No
7-28	EX	75/165,513	First Citizen's Bancshares, Inc.	Cissel Hairston* Chapman	2(d)	Refusal Reversed		"ATLANTIC STATES BANK" [banking services]	"ATLANTIC BANK" and "ATLANTIC ONE" [banking services]	Matthews	No
7-28	OPP	98,666	Borders Properties, Inc. v. Books Beyond Borders, Inc.	Simms Seeherman Wendel*	2(d)	Opposition Sustained	"BORDERS" [retail store services featuring the sale of books; tote bags, coffee mugs, sweatshirts, hats, news bulletins]	"BOOKS BEYOND BORDERS" [printed matter, namely, non-fiction books on a variety of subject matters; unmounted photographs; printed instructional, educational and teaching materials in the areas of relationships, psychology, metaphysics, parenting, multi-cultural studies, women's studies, education, and science; playing cards]			No
7-29	EX	74/724,270	Sanitary Couplers, Inc.	Hairston* Chapman Wendel	2(d)	Refusal Affirmed		"PROTECTOR" [hose for sanitary transport, namely, flexible nonmetal hose for use in sanitary transport in 3A, FDA, and USDA regulated industry]	"THE PROTECTOR" [nylon sleeves used to protect hoses]	Odin	No

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7-29	EX	74/580,176	PI-Design AG	Seeherman Hanak Walters*	genericness; 2(e)(1) [whether applicant's mark has acquired distinctiveness under Sec. 2(f)]	Refusal Affirmed (on both grounds)		"FRENCH PRESS" [non-electric coffee makers]		Lykos Wood	No
7-29	EX	75/193,204	Ziff Davis Publishing Co.	Cissel Quinn* Hairston	2(e)(1)	Refusal Affirmed		"GAME BUYER" [dissemination of advertising for others via an online electronic communications network; providing multiple user access to a global computer information network for dissemination of information in the field of computer related products and technology, etc.]		Thayer	No
7-29	EX	74/674,920	Randall Products Int'l., Inc.	Hanak (D) Quinn Walters*	2(d)	Refusal Affirmed		"SPA CARIBBEAN" [shampoo, conditioner, body lotion, bath and shower gel, and sun block]	"CARIBBEAN SPA" (and design) [health spa services, namely, sauna, body massage and body waxing services, hair and nail salon services, skin care and facial treatment services; health club services and exercise and fitness facilities]	McNutt	No

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7-29	EX	75/190,464	Hartford Fire Insurance Co.	Hanak Quinn Chapman*	2(d)	Refusal Reversed		"SPECTRUM" (and design) [property and casualty insurance underwriting services for commercial accounts	"SPECTRUM" [arranging and administering life insurance programs for employees of corporate clients]; "SPECTRUM CARE" [underwriting and administering life insurance featuring life insurance with a convalescent care rider which is sold to employees of corporate clients]; "SPECTRUM" (and design) [underwriting and administering life insurance which is sold to employees of corporate clients]; "SPECTRUM ANNUITY" and "SPECTRUM ANNUITY" (and design) [both marks for providing a unique selection of variable annuity insurance contracts to independent insurance agents for re-offering to the general public]	I. Williams	No

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7-30	OPP	92,897	Texaco Inc. v. Texlon Corp.	Seeherman* Walters Bottorff	2(d)	Opposition Sustained [on basis of opposer's mark TEXACO and opposer's various logos featuring TEXACO, TEX-LUBE, and TEXOL, but not on basis of opposer's alleged family of "TEX-" marks]	"TEXACO" and other marks incorporating "TEXACO" [various petroleum products, including automotive oils and greases; gas station services]; a family of "TEX"-formative marks [petroleum-based products]	"TEXLON" [oil based motor oil additive for improving the performance of motor vehicles for retail sale to the general public]			No
7-30	EX	74/468,937	Lombardo	Cissel Quinn Hohein*	2(d)	Refusal Affirmed		"MR. PITA ROLLED SANDWICHES & SALADS" (and design) [restaurant services]	"MR. PITA--NO CHOLESTEROL! LOW IN CALORIES! NO OILS, FATS, OR SUGARS ADDED!" (and design) [pocket breads and bread chips]	J. McMorrow	No
7-30	OPP	98,504	Reidl Uhren-grosshandels GmbH	Hairston* Wendel Bottorff	2(d)	Opposition Dismissed		"JACQUES LAURENT" [watches, key chains of precious metals, jewelry, attaché cases, handbags, purses, wallets, key cases]	"JACQUES LEMANS" [watches and alarm clocks]		No

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